IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DARREN SCHRADER,

Plaintiff,

v.   **No. 13-0162-DRH**

**COMMERCIAL RECOVERY SYSTEMS,
INC.,**

Defendant.

ORDER

HERNDON, Chief Judge:

This matter comes before the Court on plaintiff's motion for default judgment (Doc. 10). After reviewing the motion, the Court finds that it does not meet the requirements of Local Rule 55. The Court notes that Local Rule 55.1(a) requires the moving party to: (1) "give notice of the entry of default to the defaulting party by regular mail sent to the last known address of the defaulted party," and (2) "certify to the Court that notice has been sent." Further, Local Rule 55.1(b) requires that the motion seeking default judgment "shall contain a statement that a copy of the motion has been mailed to the last known address of the party from whom default judgment is sought. If the moving party knows, or reasonably should know, the identity of an attorney thought to represent the defaulted party, the motion shall also state that a copy has been mailed to that attorney."

Local Rule 55.1 requires that notice must be mailed (not emailed) to the last known address of the party from whom default is sought.   It also requires that if the moving party knows or has reason to know the identity of an attorney thought to represent that the defaulted party the motion shall state that a copy has been mailed to that attorney.   Further, the attorney for the moving party must certify, as an officer of the court, the he or she does not have knowledge that the defaulted party is represented by counsel for any matter whatsoever and there is no counsel to whom the motion can be mailed.   This procedure was not followed in this case. Accordingly, the Court **ALLOWS** plaintiff to supplement his motion for default judgment on or before August 16, 2013.

     IT IS SO ORDERED.

     Signed this 2nd day of August, 2013.

Digitally signed by David R. Herndon
Date: 2013.08.02 14:06:18 -05'00'

Chief Judge
United States District Court